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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 000789

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SUBJECT: VENEZUELA CONDEMNS POSADA CARRILES' RELEASE ON BAIL

CARACAS 00000789 001.2 OF 002

Classified By: ACTING POLITICAL COUNSELOR DANIEL LAWTON,
REASON 1.4 (D)

11. (C) Summary. President Chavez, Foreign Minister Maduro, and the National Assembly have all condemned a U.S. federal judge's decision to order Luis Posada Carriles' release on bail. They have also reiterated the Bolivarian Republic of Venezuela's (BRV's) demands that Posada Carriles be extradited to Venezuela on murder and terrorism charges related to the 1976 bombing of a Cuban Aviation flight. Maduro told reporters April 19 that the BRV intends to raise this issue in the region and at multilateral bodies. BRV officials' public posturing continues to ignore the fact that the BRV's 2005 extradition request was defective. Moreover, BRV officials show no signs of trying to address the specific deficiencies in its extradition request in this case or of taking up the USG's standing offer to discuss ways to improve the overall bilateral extradition process. End Summary.

Chavez: "U.S. Will End Up a Paper Tiger"

12. (U) During his April 19 televised speech to over 16,000 red-shirted promoters of President Chavez' proposed single "revolutionary" party, Chavez demanded that the United States extradite Luis Posada Carriles to Venezuela "instead of continuing to protect him (sic)." Chavez called Posada Carriles the "father of all terrorists" in Latin America. Criticizing the judicial decision to release Posada Carriles on bail, Chavez added that the United States says it is fighting terrorism, but "the mask is falling off." "The United States will end up a paper tiger," continued the Venezuelan president, "and we will end up as steel tigers."

FM Maduro: "Repugnant and Embarrassing"

13. (U) Minister of Popular Power for Foreign Relations Nicolas Maduro held an April 19 press conference to denounce Posada Carriles' release on bail, calling the judicial decision "repugnant and embarrassing." Maduro reiterated that the BRV demands the extradition of Posada Carriles in "strict compliance with the Extradition Treaty signed by both countries." Maduro referred to Posada Carriles as the "Bin Laden of the Bush clan" and said his release represented "the disdain of the government of George W. Bush for international justice, international law, and the people of the world."

Maduro also asserted that the BRV has publicly and privately tried to activate bilateral mechanisms of the extradition treaty, but the USG has responded with "absolute silence" (sic).

14. (U) Accusing the USG of a "double standard" on terrorism, Maduro said the BRV intends to send delegations to other countries to convey its condemnation of Posada Carriles' release and to seek follow-up at multilateral bodies. Government lawyer Jose Pertierra told the Venezuelan government news agency that the BRV would attempt to raise this case at the United Nations Security Council as non-compliance with UNSCR 1373. He also said the BRV is studying whether to take this issue before the Counterterrorism Committee at the OAS.

National Assembly: "Condemns Delay Tactics"

15. (U) The National Assembly unanimously passed on April 10 a resolution condemning a U.S. federal judge's (original) decision to order Posada Carriles' release on bail. In the preambular language, the National Assembly resolution asserts that the BRV's July 15, 2005, extradition request has been slowed down by the State Department "on the basis of technicalities, using legal subterfuge in violation of counterterrorism agreements and treaties." The operative paragraphs of the resolution, inter alia, "categorically reject" Posada Carriles' release on bail, condemn USG "delay tactics" in this case, ratify the 2005 BRV extradition request, and demand that the USG comply with international extradition agreements and its "legal and moral responsibilities in the fight against terrorism."

Comment

CARACAS 00000789 002.2 OF 002

16. (C) We expect the BRV to continue to try to exploit this issue, both domestically and internationally, for as long as possible. It provides the BRV with a perfect theme with which to criticize the "empire" as well as demonstrate its complete solidarity with Cuba. Nevertheless, we strongly doubt that the BRV will seek to amend its original extradition request by addressing its flaws. Despite post offers to begin bilateral discussions on a practical, bilateral agenda, including extradition, the BRV appears far more intent on political posturing than genuinely engaging on this case. Our public posture in Venezuela will focus on the BRV's defective process. We rate that a better issue to debate in public than the merits of the case.

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